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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/652,116	08/29/2000	James D. Barnette	BARNETTE 2-2	2342
27964	7590 10/24/2003		EXAM	INER
HITT GAINES P.C.			GHULAMALI,	QUTBUDDIN
P.O. BOX 832 RICHARDSO	2570 N, TX 75083	75083	ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    Defice Action Summary	-		Application No.	Applicant(s)				
Examiner	Office Action Summany							
Club Shulamali  City Club Chulamali  City Chulamali  City Chulamali  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  BE AN EXPORTED CHULAMA CHULA								
The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Repty  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Edminisor time may be available under the provision of 37 CFR 1.13(d). In no event, however, may a reply be timely filed after SIX (9) MONTHIS from the malling date of this communication. The period of the communication of the communicatio		Since Action Gammary						
Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Educations of time may be available under the provisions of 37 CFR 1.38(a). In no event, however, may a reply be timely filled  Education of time may be available under the provisions of 37 CFR 1.38(a). In no event, however, may a reply be timely filled  Education of the major be available under the provisions of 37 CFR 1.38(a). In no event, however, may a reply be timely filled  Education of the provision of the second of the provision of the provi		The MAILING DATE of this communication						
THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available under the provisions of 3 CPE1.13(e). In so event, however, may a neply be timely filed effect SIX (8) MONTHS from the mailing date of this communication.  If the period to restly specified above is less that with (20) days, a reply within the substacy minimum of histly (30) staps, with a considered timely.  If the period to restly specified above is less than the communication.  Failure to restly within the set or extended application to be some ABANDONED (25 U.S.C. § 133).  Any reply received by the Office alter than there amonish after the multiling date of this communication, even if timely filed, may reduce any searched patent term esploy within the set of this communication.  Status  1) A Responsive to communication(s) filed on 29 August 2000.  2a) This action is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-27 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) 1-27 is/are allowed.  6) Claim(s) 1-27 is/are allowed.  6) Claim(s) 1-28 is/are objected to.  8) Claim(s) -14 is/are rejected.  7) Claim(s) -14 is/are rejected.  7) Claim(s) -15 is/are objected to by the Examiner.  10) The drawing(s) filed on 98/29/2000 is/are: all accepted or b) objected to by the Examiner.  Application Papers  9) The specification is objected to by the Examiner.  11) The proposed drawing correction filed on is: all approved by disapproved by the Examiner.  12) The oath or declaration is objected to by the Examiner.  13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  2) Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No.	Period f		<b></b>	,,				
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#### **DETAILED ACTION**

### Specification

The disclosure is objected to because of the following informalities: Page 37, line 11, recites "and the selection stage 410 is coupled to an oscillator TG1." whereas the drawing in Fig. 4. shows TG1 is coupled to Front end 401.

Appropriate correction is required.

### Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- 3. Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Paulos et al (US Patent 6,208,671).

Consider claims 1-14, Paulos et al teaches a resampler (figs. 3, 4, 5), a sample rate converter comprising an interpolation filter, a resampler, and a decimator connected together, the interpolation filter receives as input the signal A (n) having a first sample rate, the interpolation filter unsamples the sample rate of the sample to a sample rate Ufs1, where the variable upsampling factor U is directly related to the ratio of Fs<sub>2</sub>/Fs<sub>1</sub>, the interpolation filter then performs interpolation between samples values of the signal, provides an output, In synchronous

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sample rate conversion, an input digital signal, which has a sample rate Fs<sub>1</sub> is provided as input to an interpolator, the interpolator interpolates the input digital signal by an integer factor U to increase the sample rate to that of the least common multiple (LCM) rate of the two sample rates, Fs<sub>1</sub> and Fs<sub>2</sub>, the interpolator 502 consists of (fig. 12) multiplexer 1207, adder 1206, delay 1202, multiplexer is controlled by a clock signal rate which alternately allows the output of either FIFO buffer 501 or its delayed version to pass through as the output of multiplexer 1201, the decimation filter stage configured to filter output sample rate, the decimation filter downsamples the predetermined sample rate DFs<sub>2</sub> to the second sample rate Fs<sub>2</sub> (col. 1, lines 29-60; col. 2, lines 7-50; col. 3, lines 1-28; col. 12, lines 57-67; col. 13, lines 1-15).

## Allowable Subject Matter

Claims 15-27 allowed.

#### Conclusion

- 5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Dholakia et al (US Patent 6,389,064), Christopher et al (US Patent 5,351,087), Peeters et al (US Patent 6,628,738) and Ma et al (US Patent 5,748,126) provide information related to multicarrier transmission and echo cancellation.
- 6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Qutub Ghulamali whose telephone number is (703) 305-7868. The examiner can normally be reached on Monday-Friday from 8:00AM 5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammed Ghayour can be reached on 703 306-3034. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305-4750.

QG.

October 20, 2003

DON N. VO